

**PEASE DEVELOPMENT AUTHORITY
PORT COMMITTEE MEETING
MINUTES**

Thursday April 14, 2022

Presiding: Neil Levesque, Committee Chair

Present: Steve Fournier, Committee Member
Erik Anderson, Committee Member

Attending: Geno J. Marconi, Division of Ports and Harbors Director;
Paul Brean, PDA Executive Director;
Anthony Blenkinsop, PDA General Counsel;
Roger Groux, Port Advisory Council Chairman

I. Call to Order

Director Levesque, Committee Chair, called the meeting to order at 9:30 a.m. in the board room of the Pease Development Authority at 55 International Dr. Portsmouth, NH. Levesque recognized the sign in sheet for public comment and informed those who wished to speak would have the opportunity to do so and requested comments be kept to three minutes to give all that came to speak the opportunity to do so as there is an 11:30 hard stop for the meeting.

II. Acceptance of Committee Meeting Minutes: July 15, 2021

Director Fournier moved and Director Anderson seconded that the Pease Development Authority Port Committee accept the Minutes of the **July 15, 2021** Port Committee meeting. Discussion: None. All members agreed.

III. Public Comment: The following comments were transcribed using transcription software directly from the meeting's recording and were only edited for minor editorial changes, such as punctuation and spelling errors.

Roger Groux, Chairman of the Port Advisory Council (PAC), read a motion that the PAC passed at its meeting last night. All members present, with the exception of Erik Anderson, who abstained from voting, voted to pass the motion. The motion is attached for the record, but in essence the PAC supports the recommendation from Director Marconi's report to enforce the terms of the Rye Harbor Lobster Pound's ROE and the sale of restaurant style food items be prohibited. Mr. Groux also commented that there was a large amount of public turnout at the meeting last night and personally, sympathizes with the other users of the facility because their businesses are being detrimentally affected by somebody who has far exceeded their right of entry.

Sylvia Cheever, of Rye Harbor Lobster Pound, explained that unfortunately, she was unaware of the meeting last night and that we were not in compliance, we tried last year to be as compliant as possible. So I don't know what documentation was presented and I have no way to present my rebuttal regarding this decision that has been made. But I would like the opportunity to be able to, and I feel that we haven't been out of compliance. The ROE was changed as we have been prepared

foods for over 20 years and we have grown with the Harbor, we are willing to work with new circumstances and we would appreciate the opportunity to at least have a voice in the decision. And we feel that even though they may have supporting information that they made their decision from, there was no other viewpoint at all regarding this. We've been part of the community and supported Rye Harbor for 25 years, and we still are a lobster pound. However, with the way that our business has evolved has incorporated the use of these lobsters that we get from the lobstermen at Rye Harbor. Director Levesque indicated the Port Committee received Sylvia's letter last night and the members of the board do have it.

Adam Baker, Good morning Gentlemen, anybody that doesn't know me, my name is Adam Baker owner of Vintage Fish Company, fishing charter and bait and tackle shop at Rye Harbor and Sylvia's neighbor. I have tried to try to be a good neighbor, and I say this is as kindly as I can, I don't agree with what Sylvia said. I feel like they have had that opportunity under the governor's request last year that allowed them their exemption as the problem continued. I've had marked loss of sales of 40 percent last year, and I feel that the air has changed at the harbor. I commend them for growing their business as successful as they have. The problem is that they've outgrown the facility for what its intended use is, and there just is not the space available for the volume that they are serving so the facility can sustain it. The problem I have is that is people coming onto my space, my businesses property and setting up picnic tables on my front step, chairs in front of my building, sitting on my stoop, eating their food while I'm trying to have a place of business. And I have customers that are unable to find parking to come in and visit my establishment, and my sales have dropped markedly. I've invested a lot of money to build and grow my business. Another boat, a building, a mooring, inventory, and I'm at the point where I'm about to lose my business if I am unable to have patrons visit my business. I was on the dock last year working on my boat and a gentleman with his young family tied up next to me. He didn't know who I was. I just overheard a conversation and he said to his dad, stay here with the boat we're going to go to the tackle shop and get a couple of things. And I found it interesting to hear that because the only way you can visit my business is by boat because there is no way to get there by road. The parking was overwhelming and the traffic is one component. I commend the advisory committee for what they have done for their work and Mr. Marconi for the work he's done on the documentation that he's prepared. I hope that you will agree to help support the other businesses that are at Rye Harbor and help continue to grow as a friendly environment. Thank you.

Peter Aikens Jr, Good morning, I own Petey's and the Lobster Pound at the entrance of the harbor. About seven years ago I bought my spot for \$40,000. I put my building up for twenty five thousand and I bought \$15,000 of other equipment and was told I couldn't sell any food at all. Just live lobsters. So I closed and I'm waiting patiently to see what I can do next. It's been five years since I've opened. These people own and operate a restaurant out of there. I was preparing food at my place and wanting to bring it down there, and I was told I couldn't do it. I don't understand how they can operate a restaurant with no septic, no nothing. It makes no sense. And I couldn't bring anything down that was prepared somewhere else. So I think we got to figure out what's going on here. If one can do it, they're all going to be able to do it, and the place isn't big enough for all that. So it's unfair that we even come up here to tell Sylvia, she can't operate, but if I can't, I don't understand how she can.

Brad Cook, for those who don't know me. My name is Brad Cook. Beginning in 1980, 40 years ago I ran the Atlantic Queen for fishing and whale watching activities, I have been retired now for

a couple of years and as a result, I have plenty of time to sit around and observe what goes on. I just wanted to comment that I fully support, both as an individual and in my role as Vice Chairman of the Port Advisory Council, Director Marconi's report to you gentlemen. I have been there enough in the last couple of years to observe what's going on, observe the changes, and the difficulties that the current stakeholders have, and I believe the director is spot on in his reporting and his recommendation. Thank you.

DJ Blouin, I am D.J. Blouin and we have a House of 122 Harbor Road. I was at the meeting last night and I also fully support the report that has come to you. I think the harbor is not designed to be the kind of place that it has become. Already, with this report, there are going to be guys losing spaces to create a fire lane eventually, where people would normally be working on their boats. I've been down there all my life and I consider myself a steward of the place. If it wanted to be some kind of economic hub, the chance came and went last year, when the dredge came and went and half of the harbor remained undredged. There is not some kind of an economic driver opportunity there to create something that the place is not, and this restaurant has created an environment down there that is not acceptable. My son worked for the state last summer, and he worked at the parking lot where he had to deal with customers who have an expectation that the state has to meet now. And I don't understand that. I think that if you want to run a restaurant, you have to do it in a place that is designed to have a restaurant. And to Peter's point, the uneven hand, it's a bad look for everybody. That's what I have to say.

Patrick Dennehy, Thank you for having us. My name is Patrick Dennehy. I own Tontine Fishing Charters out of Rye Harbor. I myself have been at Rye Harbor since 1980. I own one of those buildings right there. My business has suffered severely. I make bait runs, I come back with four or five or six thousand dollars' worth of bait in the back of my truck, and I pull into Rye Harbor to put it in my freezers. I can't park. People tell me, well I won't use the colorful language that I've been told by customers of the Rye Harbor Lobster Pound. People have gotten in my pickup truck and drove it away because they think it's, you know, that's my parking spot. But I don't think that this can happen. You know, Rye Harbor it's small. It's a quaint little fishing harbor. It's not a Hampton Beach style area. And I agree with Captain Marconi. This really shouldn't be allowed to happen. That's all I have thank you.

Sue Reynolds, I support everything that's been said before. I've been to meetings at Pease and at the Port before and have expressed my opinion there previously, and you people sitting up there have heard. I'm supporting everything that's being said here and supporting Geno in what he wrote to you and everything that he compiled, of which some of my pictures and comments were part of. So I don't have to go there again. I've been Rye Harbor, since 1967 and I just can't stress enough how much this has affected the harbor and the maritime industry in the harbor. I've been an operator commercially. I still have the commercial lobster license and my mooring, and pier use fee, and do everything else. I'm in the harbor operating Rye Harborside, and I have a pristine spot to view what's going on, traffic wise, how the people like DJ's son get treated. Even the verbiage of what's told to them I can hear and it's disgusting. It needs to end and to Petey's point, we need equal treatment for everybody. Thank you.

Peter Reynolds, morning, I am Peter Reynolds owner and operator of Granite State Whale Watch for the last 20 years, I've been in Rye my whole life, of course. Basically, the situation been litigated for the last couple of years. We have the Governor's waiver and been trying to find some sort of solution. I don't want to put anybody out of business I just feel we need to enforce right of

entries at Rye Harbor. I have a business. I have three right of entries, I try to follow those as best I can. I have plenty of creative ideas and I'd love to expand my business that fall nowhere near my right of entry. By waiving and rewriting right entries to allow anybody to operate outside of their right of entry just tells everyone else there do what you want, ask for forgiveness, not for permission. And that's a dangerous precedent to set at Rye Harbor. I fully support Director Marconi's report, it's very comprehensive, and doesn't leave much doubt the fact that everyone spent the last two years trying to find a solution doing their best through no ill will to work this out and no solution has been found. Thank you.

Nate Hanscom, I understand the situation down there. It's nothing we designed to happen or whatever. Covid is what killed us. In 2017 a concession license was submitted to us, and as far as septic and such we have NH DES says our storage and our gray water is collected and pumped accordingly once or twice a year, usually once a year, because it's 1500 gallon system. All of our licensing from the state and our insurance is up to date and is what it is to comply. The influx that we had during 2020, it was a sad year for everybody at the harbor because the Whale Watches were shut down. All of the charters were shut down. They couldn't go out. There was no parking on the whole roadway or parking lots, and all the restaurants were closed down. And I mean, the park was open and that's where everybody went and so it caused a problem for everybody. And it's just a growth problem I guess. We have worked our tails off and I have spent a lot of money and in fact the place never really made any money until about four years ago. If I lose the ability to sell these chowder or lobster rolls or lobster related items, I can't support the 2 buildings that I have now because everybody knows the cost of lobster is prohibitive. And there's very little margin for error. And so there's no way with today's electricity, the cost of maintaining the place we stay alive without something? You know, I mean, other than selling the lobsters? I don't know. It's, you know, we've been doing it for a long time, 20 years or better. And if it's the end it's the end, it's up to you I guess.

Dwight Tuttle, Owner of Black Dog Charters. I agree with Director Marconi's report and support it fully. They've extended the right of entry. The rest of us can't waiver from our right of entry. The stretching and stressing all the resources at the Harbor, the trash, the parking and everything else. It's time to move on. Thank you.

Linda LaPorta, I'm a resident of Rye for 27 years, and I'm just here to listen to see if there are some ways things could be worked out. Rye Harbor Lobster to me as a patron has been one of the best places to go along with the breakfast shack that I love too. It sounds to me like once you succeed, then you need to leave and lose your business. What happens then? OK, now you guys have access and you've become successful when you become more successful you'll have the same problem. So isn't this more a matter of just addressing the parking in general for the Rye Harbor? And I would think that the residents should have a say in this as well. I didn't know there was a meeting last night. I would have liked to have listened in and just see if you can mediate this, you know, and maybe it's a matter of taking the tables away now that Covid is gone, you know, and it's just to take in, take out kind of a place and a 15 minute parking limit for you to park in the major parking area. But I walk that harbor every day almost with my dog, and I take food out in the evenings. And I haven't seen this problem. You guys have lived it, and I'm not saying it doesn't happen. But as a patron, I would hate for it to be gone. It's a mainstay, I've been going there for 25 years since they opened. We just think that there should be a way to work this out for you not to be at the meeting last night tells me that people aren't really trying to work things out properly.

Mary Ellen Fennessy, Good morning. I also am a resident and patron, I used to work at Saunder's restaurant. Clearly, the whole Harbor has increased in activity. And I do think COVID brought a lot of this to a head. My thought is though that this business is complementary to all the other businesses. People pull up in boats and go and get stuff at the restaurant, at the bait shop. You know, parking traffic everywhere in Hampton Beach, in Jenness Beach. I mean, the seacoast is a magnet, draws tons of people and Covid accentuated that. I would hope that it could be a win-win worked out among everybody so that we could all coexist peacefully and actually be complementary to each other. I would certainly hope that it will be a way to work things out for everybody. Thank you.

Michael Donahue, Mr. Chairman, I am member of the Port Advisory Council. I signed up in the event you had questions. I'll gladly waive my opportunity to prolong this meeting.

Director Levesque: Adam Cox is the last person signed up, so if you do want to speak and didn't sign up, let Brenda know.

Adam Cox, Good morning everyone sorry to be able to stand here. I'm not a professional by any means. I'm not directly affiliated with any of these businesses. I don't make a profit from anybody that's here. I do have more of a closer friend relationship with the family of Rye Harbor Pound and some of their staff, and I got their lives about six weeks prior to the original request to change the ROE. I've been witnessing some behaviors that just doesn't really seem proper. People are very clicky at the harbor. And even as just mentioned, public meetings not even made where everybody would know they would exist. I put together as a request because you guys and Geno have mentioned different things with reading all this stuff. The parking analysis and stuff like that. The majority of the businesses have the ability to have some kind of a capacity that they can have, like the whale watch of about 200 people, and if I'm wrong, this is just an approximation. The other part of the business, like 50, and from Shaheen's article to the feds it was 180 entities and businesses, they're not just one, OK? One hundred and eighty businesses that have traveled there, right? I'm not a professional. I went ahead and I took the numbers, looked at individual sales and the best I could I put together an average of what the actual traffic flow is, and for the little shop, it is excessive. Excessive may be the wrong word, but excessive compared to Adam, the neighbor who sells a little bit of bait & tackle and a couple of little knickknacks. A lot of people spoke here and I actually wrote down what they said, I don't know if you will allow me to say what each person said here, but I have not seen any of this working, where people are reaching out to the other and saying, Hey, how can we do this? You've guys have a major problem at the harbor which has nothing to do with any of these businesses directly. Communitivly, all of them, I see big boats and trailers pulling in and out of an entrance where a harborside restaurant, wonderful restaurant beautiful view has all these people sitting and standing all the time. One trip you've got max capacity, just one trip on the Whale Watch, nice boat. That's 200 people capacity, plus employees averaged at two point five persons per vehicle for the employees. That's one hundred vehicles that are all coming in or out at the same time. Cars were backed up on Rt. 1 both directions, just trying to get into the entrance, not the entrance to the parking lot just at the entrance of the road. The surrounding area of the harbor has grown massively. I've worked for a company with Rye Beach the name of it, doing a lot of that building, and I've never seen any of the businesses with the exception of now in the past year where I can get some lobster rolls. So yeah, I'll come after I'm done with this lobster roll and now I know there is a whale watch there, and I know there is charter boats there. Now I know there is businesses there that ultimately without you, I would have never

known even existed. So I'm going to take some of these concerns that just by my own observation, (garbled) supports Geno and his stuff, and he mentions failure. I have not heard today and I don't want a single failure other than a failure exists. I'm like, you don't even bother to let us know exactly what these failures are and what are these exact violations that they get? Because I didn't find it when I looked at their ROE, they made no violations they kept everything that they were supposed to do it was just parking up front and Covid created a lot of issues. People that were standing in the line, it's only four people is now standing 20 feet down (garbled). But people standing in a fire lane is not a safety hazard. Look anywhere, if it is, then every home you go, every building, every business in the entire US has got a serious problem. If someone standing in a fire lane is a problem or crossing a fire lane is a problem. Even this place probably has a fire lane in front, I don't know. I could be wrong, (garbled) I'm sure we could see from here it does. We walk to it. So what do we do with that? So you have a Covid, you have eight people standing in line, all respectfully trying to give six to eight feet social distance, scared for their lives. Nothing to do driving from New York, Connecticut or Island, Maryland with nothing to do except sit in their car and drive up the coast. You have a business to that increase their business thirty five percent in one year from 2019, where they averaged about 10 to 13 percent every year. Standard growth for small business and Covid created a 35 five percent increase in that. That has gone down. And then what's another sad note is that when this happened instead of coming to them and saying, Hey, this is what's been going on, we have some concerns and say, your new ROE is going to be this. Hey, everything you guys are working for, is just all gone. You can do this now. Twenty years ago this might not have been a problem, except that their entire personal lives and entire finances for their homes, their lives, their everything, is based on this supporting it. These changes are going to detrimental. Does any of these people out here right now currently have their house being furnished to look good to be for sale because you can buy Sylvia's house in 2 weeks because they're forced to lease a property because the ROE changed, the fear of not being in business, but that other one has to do congratulations with the happy lobster. That wasn't something they planned. That was a last minute ditch. Oh my god, what are we going to do? Our whole livelihood is gone. You know, that's just not acceptable stuff. And now it's a building (garbled). But they didn't ask for that and not because they can't afford it. They can't sustain it. They don't know what their future is and to protect themselves, they've got to sell their own stuff. You got, Adam. I've met Adam personally. Only one time I witnessed him another time, though. (Someone said) Mr. Chair we need to wrap this up. You're only allowed three minutes. Cox: Oh, I didn't know that. I'm sorry. I was just going to end it. (someone in the audience said it's been six minutes). Cox continues, basically, it would be nice to see as a third person having watched this coming in at the end and people actually do something. The parking is an issue there, regardless if Rye Harbor Lobster is there or not. Having people coming in and out at the same time no crosswalk this and that, big trucks, trailers, cars all through that area is wrong. And I get it, there's no money yet to do any difference about it, but it shouldn't be at the cost of somebody else. I would like to see just maybe talk to them about... Director Levesque: Why don't you submit some written suggestions just so we can keep fair that everybody gets their turn? Cox continued: Well the whale watch, I will sir, they get roughly its like, what, four hours to a day's parking for five dollars. When I did the traffic analysis in there's it's going to be very excessive and kind of hard for business, for people in and out the other ROE holders, if all of a sudden everybody has to pay. Levesque: Point taken, so submit to the committee, in its written language your ideas and what you observe. Is there someone providing that information before I leave? Levesque: We appreciate your time. Does anyone else want to speak, speak up. Sue Reynolds asked to speak, you already spoke. I would just like to request

because he went over that every other business that's here gets one minute more to correct the accuracy. Levesque: No, we're going to continue on.

IV. Directors' Comments-

A. Ports and Harbors Division Director Marconi reported on the following items:

a. Update on Rye Harbor

i. Entrance / Exit Safety Improvements-The Director spoke on the Rye Parking Study that was approved by the Board to be completed last fall. The final report will be posted on the Port website and the Division will send a letter to all mooring holders, pier use permit holders, boat storage, etc. to let them know the Division is looking for feedback on the report from the harbor's stakeholders. The Director explained that the Division will be seeking approval at the PDA Board meeting to pave the main driveway and guardrail area and make a fire lane. He explained the many reasons why it needs to be done, which included public safety and to give the emergency responders direct access to the pier to tend to emergencies. Currently there is not a clear lane for the fire department to use in the case of emergencies.

ii. Director explained a letter he wrote to all of the Rye ROE holders regarding access to water at the harbor. They had a meeting with the Rye Water District (RWD). Currently, the water is connected to the Port office there and there is some access to the water under the ground tied into the sillcock. The RWD indicated that anyone who wants access to the water needs their approval as the water is owned by the RWD. In accordance with the contract that the shack owners have with the Division they are responsible for the utilities, including electricity and water. The letter indicated that if the shack owner wants water to their shack, they should contact the RWD for the process. Plans also needs to be approved by the Division as well. Meters could be installed at each shack, or there may be an option to split a meter between more than one shack. Director Levesque asked when this would take place as the ROE expires next year and with that the building owners may not know if a ROE will exist next year and business owners should be aware of that. Director Fournier commented that this is something that should have been done long ago and the decision is being made by the RWD. Discussion included the fact that the line that goes underground and is exposed in several places and RWD indicates that the line has the potential to be breached and they need control over the water, the shack owners currently have their own electrical meters already. Discussion on who is paying for the water use currently (the Division), dumpster usage, which is paid for by the Port because the intent of the dumpsters is for the commercial users and the charter & recreational users of the facility.

iii. Right-of Entry Waiver Requests-The Director spoke on the 6 "request for waiver" letters (included in the packet). The Director made it clear that he does

not recommend the PDA Board grant any waivers to the Right of Entries for any of the shack owners, including the Rye Harbor Lobster Pound.

- b. Update on Functional Replacement of the Barge Wharf –Director reported that the project is in the final design stage. As a reminder, the replacement is being funded by Federal Highway, through NH DOT, due to the loss of the Barge Dock with the relocation of the Sarah Long Bridge. The most up to date cost estimate is \$34 million. NH DOT is hoping to go out to bid towards the end of September of 2022 and begin work in the next Federal fiscal year.
- c. Update on Market St. Wharf Rehabilitation, BUILD Grant- This project is partially funded by a USDOT BUILD Grant. Director reported the contractor is on site and safety railing has been installed. There has been one change order due to a wetlands permit condition that was not known at the time, which is in water work restrictions during the months of April, May and June. This impacts the concrete work as it cannot be done during winter months. All other work will be substantially completed by Dec 31, 2022 and then will return to finish in the spring of 2023.
- d. Update on Portsmouth Fish Pier-Director reported that the Fish Pier is close to completion and once the asphalt paving plants reopen the work on paving can begin. The facility has been fully operational since last fall.
- e. Update on Hampton Harbor Float Replacement-As reported at the last PDA Board meeting the floating docks on the commercial side of the facility and the concrete dock on the recreational side need to be replaced in Hampton. The Contractor, Riverside & Pickering, is currently assembling the floats at their facility and hopes to have them installed by mid-May. All docks can be removed each winter. As a reminder, the floats are not usually put back in the water until the end of April, so they are only delayed by a couple of weeks. The Rye floating docks have been put back in the water.
- f. Update on Piscataqua River Turning Basin Navigation Project-Director reported that finally after about 35 years, the Army Corp of Engineers was able to fund the dredging project in the uppermost turning basin. The river Pilots have been turning 765' ships in an 800' turning basin. The turning basin has been expanded to 1200' which makes it much safer for the ships to be turned. The project started in November 2021 and was completed last Friday. The ACOE is doing a survey now to ensure the work was done to specifications. This is a bonus with economic impacts as with the larger turning basin some restrictions can be lifted, such as only operating during day light hours and high tide. With the lesser restrictions costs for the ships should be reduced. 762,000 CY were removed (compared to 30,000+ out of Rye.) Director reported that Senator Shaheen had an important role in getting the project on the list of ACOE projects to be completed this year. The project total cost was approximately \$25 million.

- Director Anderson asked for clarification on the change order for the BUILD Grant. The delay is resulting in a \$700,000 increase in costs, these are mainly administrative, equipment, and mobilization costs.

- Director Levesque addressed the audience and commented on the increase in traffic over the years on the seacoast in general. Also, in the service industry, people right now are not well behaved or treating each other very well, especially now after Covid. The Port Committee's job is oversight of State resources. Fairness and safety as it relates to individuals and parking, are top concerns. With that, the current Right of Entries are being reviewed (as they expire next year) and there may not be ROE's next year. Should they exist next year, there will be questions on the fee structure of the ROE's and the mooring process will be looked at. The culture at the Harbor is of concern as well, Rye Harbor is a special place, but we have to think about what is in the best interest of the people of the State of New Hampshire. That being said, Director Levesque offered the following motion:

“The Port Committee of the Pease Development Authority (PDA) Board of Directors hereby recommends to the PDA Board of Directors that it grant waivers for the 2022 season to current Rye Harbor Marine Facility Right-of-Entry holders who have requested, in writing, to conduct the sale of ready-to-eat, restaurant style food items from their respective Rye Harbor Marine Facility premises, subject to the following conditions for the 2022 season:

- Provision to the Division of Ports and Harbors (DPH) of proof of all required state and local permits to operate a food service establishment at Rye Harbor prior to the commencement of operations;
- Provision, at the expense of the Right-of-Entry holder, of a police detail during hours of operation on Saturdays, Sundays, and holidays, as determined necessary by DPH and scheduled in consultation and coordination with DPH staff, subject to further review by the PDA Board at its June and August meetings;
- Provision by the Right-of-Entry holder of trash receptacles at its premises and of daily litter and trash collection and placement into the dumpster located at the Rye Harbor Marine Facility;
- Active daily management by the Right-of-Entry holder of its customers to avoid impediments to other Rye Harbor businesses, harbor entry/exit areas, fire lanes, boat ramps and piers, including, but not limited to provision of information on parking, trash receptacle locations and facility layout; and
- For those Right-of-Entry holders without a corresponding Pier Use Permit, provision to the DPH of a detailed weekly written report of the purchase of locally sourced (Rye Harbor and NH Seacoast) food products for sale at their Rye Harbor Marine Facility premises;

- A limitation on seating as determined by the PDA Board of Directors in consultation with staff.

Further, the Port Committee recommends that the PDA Board of Directors direct the PDA Executive Director, subject to available DPH funding, to undertake a facility analysis of the Rye Harbor Marine Facility and preparation of a facility master plan in advance of the 2023 summer season; and

Further, the Port Committee will study, and in consultation with the PDA Executive Director, report back to the PDA Board of Directors regarding the permit / license and fee structure at the Rye Harbor Marine Facility, including, but not limited to such matters as traffic, safety, parking, moorings, and general use of the Facility.”

Director Anderson seconded the motion. Discussion on the motion included comments by Director Fournier agreeing that yes, what you do for one, should be done for everyone, however he reminded all that this is a working harbor, not a main street or restaurant area and its livelihood is it a place to get in and out of the ocean, a place to do their work. Yes, he is concerned with parking and access. He has a lot of issues with granting waivers, but agrees that they should be looked at. The Port Committee’s job is to give the best advice to the PDA Board. He does not agree with offering seating and believes it should be “grab and go” if anything. I will move this forward to the full board, but I have a lot of questions, such as, what is the impact on the town of Rye? Traffic back up on Rt. 1A, if we open it up to waivers it will be a nightmare. Director Anderson addressed the audience and wanted to make sure they understand the motion and questions should be asked. The results of the parking study are going to result in some changes. The comprehensive report that Director Marconi submitted should be commended as there was a lot of work put into it, breaking it down with visual presentations including photos and letters. There were 9 letters of concern in the report from the PDA. Two letters of response have been received and there is the letter from the Governor in the packet as well. The motion is comprehensive and was constructed to offer fairness, at least for the 2022 season. Compliance of the conditions of the motion will need to be determined by the building owner. Anderson wanted to amend the motion to add that the ROE will be revoked if the conditions aren’t met. Levesque suggested that he make that suggestion at next week’s board meeting. There was no further discussion and a vote was taken. Fournier was a “reluctant” yes, Anderson was a yes, “with provisions” and the Chairman voted yes. The motion passes. Anthony Blenkinsop, PDA Legal Counsel, clarified that this motion is making a recommendation to the PDA Board and is not approving any waiver requests. Copies of the motion are available to anyone who would like to have one. Some members of the public asked to speak but were told they would be out of order if they did. It was recommended they come to the PDA Board meeting next week to speak. The PDA Board is meeting Thursday on 4/21 in this room at 8:30 AM.

V. Press Questions

There were no members of the press present.

VI. Adjournment

Director Fournier made a motion to adjourn, Director Anderson seconded and the meeting adjourned at 10:50 AM.